Case 1:24-cv-00537-YK-DFE

Decument 13-Sealed Documents Filed 06/27/24

Page 2

Children's Fast Track

### **Appeal Docket Sheet**

Docket Number: 1111 MDA 2023

Page 1 of 4

June 27, 2024

# **Superior Court of Pennsylvania**



# **CAPTION**

Sara Pickett Appellant

٧.

Kristoffer Hexter & Bruce Hexter

**CASE INFORMATION** 

Initiating Document: Notice of Appeal

Case Status: Closed

Case Processing Status: October 27, 2023 Completed

Journal Number:

Case Category: Domestic Relations Case Type(s): Custody/Visitation

Civil Contempt

CONSOLIDATED CASES RELATED CASES

**SCHEDULED EVENT** 

Next Event Type: Next Event Due Date:

**COUNSEL INFORMATION** 

Fax No:

Appellant Pickett, Sara
Pro Se: Yes
IFP Status: No

Pro Se: Sara Pickett
Address: 2159 White Street

Suite 3 Box #142 York, PA 17404

Phone No: (717) 454-9566

Appellee Hexter, Kristoffer & Bruce

Pro Se: No IFP Status: No

Attorney: Harshberger, Joshua Scott
Address: Jacobson Julius And Harshberger

8150 Derry St Ste A

Harrisburg, PA 17111-5260

Phone No: (717) 909-5858 Fax No: (717) 909-7788

FEE INFORMATION

 Fee Dt
 Fee Name
 Fee Amt Receipt Dt
 Receipt No
 Receipt Amt

 08/04/2023
 Notice of Appeal
 69.00 08/29/2023
 2023-SPR-M-000574
 69.00

Decument 13-Sealed Documents Filed 06/27/24

Page 3

Children's Fast Track

### **Appeal Docket Sheet**

Docket Number: 1111 MDA 2023

Page 2 of 4

June 27, 2024

**Superior Court of Pennsylvania** 



AGENCY/TRIAL	COURT	INFORMATION	

Order Appealed From: July 6, 2023 Notice of Appeal Filed: August 4, 2023

Order Type: Order Entered
Documents Received: August 10, 2023

Court Below: York County Court of Common Pleas

County: York Division: York County Civil Division

Judge: Menges, N. Christopher OTN:

Docket Number: 2021-FC-001007-03 Judicial District: 19

#### **ORIGINAL RECORD CONTENT**

Original Record Item Filed Date Content Description Original Record August 21, 2023 **ERMS** Exhibit(s) August 21, 2023 **ERMS Trial Court Opinion** August 21, 2023 **ERMS** Original Record \*SENSITIVE\* August 21, 2023 **ERMS** Testimony August 21, 2023 **ERMS** 

Date of Remand of Record: October 27, 2023

### **BRIEFING SCHEDULE**

Appellant Appellee

Pickett, Sara Hexter, Kristoffer & Bruce

Brief Brief

Due: September 20, 2023 Filed:

Reproduced Record

Due: September 20, 2023 Filed:

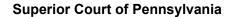
		DOCKET ENTRY		
Filed Date	Docket Entry / Representing	Participant Type	Filed By	
August 10, 2023	Notice of Appeal Docketed			
		Appellant	Pickett, Sara	
August 10, 2023	Docketing Statement Exited (Domestic Relations)			
			Superior Court of Pennsylvania	
August 10, 2023	Awaiting Supplemental Record			
			Superior Court of Pennsylvania	
August 21, 2023	Trial Court Record Received			
			York County Civil Division	
August 21, 2023	Exhibits			
			York County Civil Division	
August 21, 2023	Trial Court Opinion Received			
			York County Civil Division	
August 21, 2023	Sealed Trial Court Record Receive	ed - Sensitive Documents		
			York County Civil Division	
August 21, 2023	Transcripts of Testimony			
			York County Civil Division	

# **Appeal Docket Sheet**

Docket Number: 1111 MDA 2023

Page 3 of 4

June 27, 2024





June 27, 2024			A BOY OF		
	Γ	DOCKET ENTRY			
Filed Date	Docket Entry / Representing	Participant Type	Filed By		
August 21, 2023	Briefing Schedule Issued				
			Superior Court of Pennsylvania		
August 23, 2023	Docketing Statement Received (Domestic Relations)				
		Appellant	Pickett, Sara		
August 24, 2023	Order - Rule to Show Cause				
			Per Curiam		
Comment:	t: This appeal has been taken from the order dated and entered July 6, 2023, that denied Appellant's motion to disqualify the trial court judge in this custody matter. In light of the fact that litigation continues in the trial court, it does not appear that the July 6th order is final or otherwise appealable. Thus, this appeal appears to have been taken from a non-appealable interlocutory order. See Krieg v. Krieg, 743 A.2d 509 (Pa. Super. 1999) (noting that denial of a pretrial motion to recuse is not an appealable interlocutory or collateral order); Pa. R.A.P. 341 (b)(1) (a final order is any order that disposes of all claims and all parties).  Accordingly, Appellant is directed to respond within ten (10) days, in writing and copying all parties involved on the reply, as to this Court's jurisdiction over the July 6, 2023 order. Failure to respond to this directive may result in dismissal or quashal of this appeal without further notice				
September 3, 2023	Response to Rule to Show Cause				
•		Appellant	Pickett, Sara		
September 15, 2023	Quash Sua Sponte				
			Per Curiam		
Comment:	t: This appeal has been taken from the order dated and entered July 6, 2023, that denied Appellant's motion to disqualify the trial court judge in this custody matter.  A Rule to Show Cause Order was issued August 24, 2023, because it appeared that the July 6 th order was not final or otherwise appealable in light of the fact that custody related litigation continued in the trial court. See Krieg v. Krieg, 743 A.2d 509 (Pa. Super. 1999) (noting that denial of a pretrial motion to recuse is not an appealable interlocutory or collateral order); Pa. R.A.P. 341 (b)(1) (a final order is any order that disposes of all claims and all parties). Appellant responded on September 3, 2023, but the response is insufficient to establish this Court's jurisdiction.  Accordingly, the appeal at 1111 MDA 2023 is QUASHED.				
October 27, 2023	Remitted to Lower Court or Agenc	у			
			Superior Court of Pennsylvania		
November 3, 2023	Acknowledgement of Record Rem	ittal	York County Civil Division		

# **DISPOSITION INFORMATION**

Final Disposition:

Yes

Case 1:24-cv-00537-YK-DFE

Document 13-Sealed Documents Filed 06/27/24

Page 5

Children's Fast Track

### **Appeal Docket Sheet**

Docket Number: 1111 MDA 2023

Page 4 of 4

June 27, 2024

### **Superior Court of Pennsylvania**



### **DISPOSITION INFORMATION**

Related Journal No: Judgment Date:

Category: Disposed Before Decision Disposition Author: Per Curiam

Disposition: Quash Sua Sponte Disposition Date: September 15, 2023

Disposition Comment: This appeal has been taken from the order dated and entered July 6,

2023, that denied Appellant's motion to disqualify the trial court judge in this

custody matter.

A Rule to Show Cause Order was issued August 24, 2023, because it

appeared that the July 6

th order was not final or otherwise appealable in light

of the fact that custody related litigation continued in the trial court. See Krieg v. Krieg, 743 A.2d 509 (Pa. Super. 1999) (noting that denial of a

pretrial motion to recuse is not an appealable interlocutory or collateral order); Pa. R.A.P. 341 (b)(1) (a final order is any order that disposes of all claims and all parties). Appellant responded on September 3, 2023, but the response is

insufficient to establish this Court's jurisdiction.

Accordingly, the appeal at 1111 MDA 2023 is QUASHED.

Dispositional Filing:

Filed Date:

Filing Author: